

Food and Drugs Act June 30th 1906 Guaranty No. 18300 National Condensed Milk Co. Chicago Ill. U. S. A."

Analysis of the sample of the product on which the action was based, by the Bureau of Chemistry of this department, showed the following results:

Total solids (per cent).....	24.99
Butter fat (per cent).....	7.35
Sum of total solids and butter fat (per cent).....	32.34

Misbranding of the product was alleged in the libel for the reason that it was not sufficiently reduced to be entitled to the name "Evaporated Milk," and further for the reason that it was below the limit described in Food Inspection Decision 131.

On January 30, 1913, an answer having been filed by Taft & Suydam (Inc.), as agent for the National Condensed Milk Co., Chicago, Ill., claimant of the goods, whereby said claimant admitted that the analyses made on behalf of libelant were correct, and that said analyses showed that the percentages of total milk solids and of the butter fat in the product were as follows, each of the batches being designated by the number affixed by representative of the libelant at the time the samples were taken, to wit:

Batch No.	Total solids.	Butter fat.	Sum of total solids and of butter fat.
37253-E	24.20	7.67	31.87
37254-E	24.21	8.31	32.52
37255-E	25.07	8.46	33.54
37256-E	24.40	7.46	31.86
37257-E	24.37	7.45	31.82
37258-E	25.00	7.72	32.72
37259-E	25.33	8.22	33.55
37260-E	25.15	7.65	32.80
37261-E	24.80	7.65	32.45
37262-E	25.49	7.92	33.41
37263-E	25.47	7.91	33.38
37264-E	25.34	7.97	33.31

and that the total percentage of total milk solids and of butter fat was less than 34.3, prescribed by Food Inspection Decision 131 as the minimum total percentage of total milk solids and butter fat permissible in evaporated milk, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product should be released and delivered to the claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$600 in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 18, 1914.*

**2888. Adulteration and misbranding of vanilla extract. U. S. v. One Five-gallon Keg of Vanilla Extract. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 4299. S. No. 1460.)**

On July 12, 1912, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of one 5-gallon keg of vanilla extract remaining unsold in the original unbroken package at Cleveland, Ohio, alleging that the product had been shipped by the William Haigh Co., Baltimore, Md., on or about June 26, 1912, to Peter Nichols, Cleveland, Ohio, and transported from the State of Maryland into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: (First label) "Guaranteed by the Wm. Haigh Co. under the Food and Drugs Act, June 30, 1906. The Wm. Haigh Co., 126-128 S. Calvert Street, Baltimore, Md." (Second label) "Special XXXX Vanilla Flavor. Special flavoring for ice cream and candies prepared from vanilla beans, added vanillin and coumarin. Lead number (in analysis for vanilla bean) approximately .23." (Third label) "Manufactures Extracts, Fruit Juices, etc."

Vanilla Beans, Essential Oils, Colors, etc. The William Haigh Co., Manufacturing Chemists, 128 S. Calvert St., Baltimore, Md.”

It was alleged in the libel that the product was adulterated in violation of paragraphs 1 and 2, under foods, of section 7 of the act of Congress approved June 30, 1906, commonly known and designated as the Food and Drugs Act. It was alleged that the product was misbranded in violation of section 8, paragraphs 2 and 4, under food, of said act of June 30, 1906.

On November 18, 1912, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, the court finding the product misbranded. It was ordered by the court that the product should be destroyed by the United States marshal.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., February 18, 1914.

**2889. Adulteration and misbranding of so-called apple cider. U. S. v. National Fruit Products Co. Plea of guilty. Fine \$25 and costs. (F. & D. No. 4334. I. S. No. 5764-c.)**

On August 13, 1913, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the National Fruit Products Co., a corporation, Memphis, Tenn., alleging shipment by said company in violation of the Food and Drugs Act, on or about January 19, 1911, from the State of Tennessee into the State of Texas, of a quantity of so-called apple cider which was adulterated and misbranded. The product was labeled: “Apple Cider—Guaranteed. The contents of this package, as originally filled, are guaranteed to be made from apple juice fortified with sugar. (No distilled spirits, wine, fermented juice of grapes or other small fruits or alcoholic liquors being added.) Contains 1/10 of 1% benzoate of soda and artificial sweetening matter and conforms to the provisions of the Food and Drugs Act of June 30, 1906. We also guarantee the contents of this package, as originally filled, to be exempt from Internal Revenue Tax, National Fruit Products Co., Memphis, Tenn.”

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity (20°C./4°C.).....	1. 0374
Alcohol (per cent by volume).....	7. 72
Solids, by refractometer (after removal of alcohol) (grams per 100 cc).....	12. 48
Nonsugar solids (grams per 100 cc) .....	4. 44
Sucrose, by reduction (grams per 100 cc).....	0. 21
Reducing sugars (direct as invert sugar) (grams per 100 cc).....	7. 81
Polarizations (undiluted):	
Direct, 20° C. (°V.).....	+44. 5
Invert, 20° C. (°V.).....	+47. 0
Invert, 87° C. (°V.).....	+46. 2
Total ash (grams per 100 cc).....	0. 34
Alkalinity soluble ash (cc N/10 acid per 100 cc).....	20. 0
Soluble phosphoric acid (mg per 100 cc).....	2. 4
Insoluble phosphoric acid (mg per 100 cc).....	6. 6
Acid, as acetic (grams per 100 cc).....	0. 59
Volatile acid, as acetic (grams per 100 cc).....	0. 30
Fixed acid, as malic (grams per 100 cc).....	0. 30
Commercial glucose (factor 163) (grams per 100 cc).....	7. 1
Erythrodextrus test.....	Positive.
Saccharin.....	Present.
Coal-tar color: None detected.	
Benzoic acid, calculated as sodium benzoate (approximately) (per cent).....	0. 09
Added vegetable color: Caramel.	